(4)

SINGLE BENCH

CF/1001-20

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (S) NO. 4910 OF 2006 (S.B.)

PETITIONER

Sanjay Kumar Kashyap, aged about 25 years, Son of Late Shri Ratan Lal Kashyap, Resident of Village Kapan, Via Akaltara, District Janjgir-Champa (C.G.).

P.R. No. 4946/1,6
Presented by Shri Pramod Shrivastava
dated 6/9/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through: The Secretary, Department of Forest, D.K.S. Bhawan, Mantralaya Raipur (C.G.).

2. The Divisional Forest Officer, Forest Division Raigarh, District Raigarh (C.G.).

3. The Conservator of Forest, Bilaspur, District Bilaspur (C.G.).

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6/9/06
A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, 1950, FOR ISSUANCE OF APPROPRIATE, WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, ETC. AND FOR OTHER APPROPRIATE WRIT (WRITS), ORDER (ORDERS), AND DIRECTION (DIRECTIONS), TO DO JUSTICE IN THE MATTER.

(3)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : Hon'ble Mr. Satish K. Agnihotri, J.

W. P. (s) No. 4910 of 2006

Petitioner : Sanjay Kumar Kashyap

versus

Respondents : State of Chhattisgarh & others

Present :

Shri M.K. Bhaduri, counsel for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents/State.

ORDER

(Passed on 8th September, 2006)

1. The father of the petitioner namely Shri Ratan Lal Kashyap while working as Forest Guard in the Government Forest Department died on 9.10.1986 in harness.

2. At the time of the death of deceased Ratan Lal Kashyap, the petitioner was minor. The petitioner attained the age of majority on 13.7.1999, thereby he become eligible for making application and for consideration of his case on the basis of compassionate appointment.

(33)

3. Learned counsel for the petitioner refers to Annexure P/5, whereby his case has been recommended for appointment on the basis of compassionate ground. However, due to non-availability of the post, the petitioner could not be appointed.

4. In the meantime, the Government of Chhattisgarh, by its circular dated 2.2.2006, directed all the departments to consider cases of all the eligible dependant-legal heir of the deceased employees, who died in harness between 1.11.1997 to 31.10.2000 for compassionate ground.

5. Since, the petitioner attained majority on 13.7.1999, which has been decided for consideration of appointment. The case of the petitioner should be considered afresh as per its own circular dated 2.2.2006 and also in view of the order passed by this Court in Writ Petition No. 3879/2004 and other connected matters on its own merit, in accordance with law, within a period of four weeks from the date of the representation, if so made.

6. For the reasons stated-above, the writ petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu